

Utah Department of Agriculture and Food  
**Hay and Straw Weed Phytosanitary Inspection Policy and  
Procedures**

Effective date: January 1, 1996

Phytosanitary Inspection requirements and standards for certification of hay and straw to meet the requirements of the Utah Noxious Weed Act (Utah Code 4-17) and Rules pertaining to this act (R68-09). The requirements of the U.S. Forest Service revised closure order No. 04-00-052 effective January 30, 1995, will be met by certifying to the standards set forth in State Code and Rule.

**A.** Upon the request of an applicant, the Department or an authorized representative will inspect hay and straw for compliance with the standards set forth in these procedures and in keeping with the State Code and Rule.

Authorized representatives may include; Department Field Representatives, County Weed Supervisors and others who have been designated by the Department to do weed certifications.

The certificates shall document that the following requirements have been met, based upon a reasonable and prudent visual inspection.

**B. Definitions:**

1. **Certified**, shall mean hay or straw that has been inspected and found to be free of mature noxious weed seeds or such parts of noxious weed plants which could cause new growth.
2. **Mature**, shall mean that the noxious weeds have exceeded the bud or boot stage of growth at the time of cutting.
3. **Noxious weeds**, shall include all noxious weeds designated in Utah and the noxious weeds listed on the regional noxious weed list.
4. **Field inspection**, shall mean hay or straw that has been inspected in the field of origin and prior to cutting.
5. **Bale inspection**, shall mean inspection of a representative sample of bales in lots of less than 25.

## **C. Inspection Procedure and Requirements:**

### **1. Field Inspection:**

**a.** Hay or straw shall be inspected in the field of origin prior to cutting. Each crop cutting of hay must be inspected for certification. The field shall include ditch banks, fence rows, roadways, easements, rights-of-ways, or buffer zones.

Ditches, fence rows, roads, easements, rights-of-ways or buffer zones surrounding the field of origin must be treated to prevent seed formation or seed ripening to the degree that there is no danger of dissemination of the seed or any injurious portion thereof of such weeds or undesirable plant species.

Treatment methods can include, but are not limited to: burning, mowing, cutting, rogueing, mechanical or chemicals.

**b.** Each field shall be identified by a name. The name shall consist of the last name or initials of the owner or applicant and a field number.

**c.** Request for certification inspection shall be made no less than ten days prior to cutting.

**d.** All lots of hay or straw in excess of 25 bales must be field inspected.

### **2. Bale Inspection:**

**a.** Individual bales of hay or straw may be inspected and certified by breaking the bales for inspection. Bales can then be retied by the owner.

**b.** Bales of hay or straw may be certified by inspecting a representative number of bales from lots consisting of less than 25 bales. Ten percent of the bales must be inspected, with a minimum of 2 bales inspected in lots less than ten bales.

(1) Bale inspection for certification will be denied if the applicant objects to the inspector breaking the required number of bales.

## **D. Certification:**

### **1. Bulk Load and Stack Certificates:**

- a.** State phytosanitary certificates shall be issued on all bulk loads of hay and straw where the identity of the lot is maintained through the use of truck, trailer or rail car numbers.
- b.** State phytosanitary Certificates shall be issued on all stack hay and straw when identity of the bales is maintained.
- c.** Federal phytosanitary certificates shall be issued on all stack hay and straw intended for foreign export when identity of the bales is maintained and all requirements of foreign importation are met.

### **2. Certification Tag:**

- a.** Tags will be used on individual bales and lots of less than 25 bales if requested by the applicant.
- b.** The applicant must maintain a record of accountability for all tags issued by the Department.

## **E. Failure to Comply:**

Failure to comply with all inspection and certification procedures and standards will be cause for a grower, distributor or inspector to be suspended from the hay and straw certification program.

## **F. Fees:**

- 1.** Fees for inspection, tags, and certification shall be according to established fee schedules (Rule R68-4-11).

Certificates may be valid for contract sales up to ten loads. Fees for inspection of small lots may be charged at the hourly or minimum fee.

All inspections shall include mileage which will be charged according to the current mileage rate of the state; EXCEPT: Mileage fees for individual bale inspections will not be charged if bales are delivered to an inspectors office or other inspection point.

- 2.** All fees will be collected at the time of inspection or through normal billing by the Department. Failure to pay inspection fees will be cause for an applicant to be suspended from the hay and straw certification program. Delinquent fees will be filed with the Utah State Attorney General's office for collection.